

towering over 100 feet can be seen for miles around. It is traditionally understood that local and state governments are best equipped to properly consider and evaluate land use needs for local communities. Federal siting processes for transmission lines must be carefully tailored to allow greater protections to both local landowners and to the state decisionmaking process.

Currently, Section 1221 provides that state regulatory authorities can have their jurisdiction to approve or disapprove an application for new transmission lines in the state usurped by the federal government after one year in the application process. Additionally, the FERC can simply override disapproval by the state regardless of how sound the rationale for disapproval might have been. This is unacceptable.

Under my legislation, if the state entity denies an application, any subsequent application to FERC would first have to prove that the state decision was arbitrary and capricious. Furthermore, if the state goes beyond a year to act, the applicant must show that the state had no valid reason for delaying action.

Additionally, in order to ensure that lands that have been protected by the federal or state governments through conservation easements, ownership and similar preservation initiatives will not be impacted, the legislation prohibits these lands from being included in a NIETC and requires that the Department of Energy consider the national interests in protecting these resources.

I fully support investment in alternative energy sources and conservation, yet current law requires no assessment of alternative energy solutions before action is taken to designate a NIETC. My legislation would require the Department of Energy to consider all energy use alternatives to building new transmission lines before designating a NIETC. Furthermore, the Department of Energy will be required to solicit public comments on the analysis.

Finally, under current law landowners are compensated only for the portion of their property actually taken for a NIETC right-of-way. There is no compensation for any reduction in the value of the remainder of a landowner's property or for adjacent landowners whose property is devalued. This legislation would allow all landowners who are able to prove a 10 percent diminution in property value because of the construction of the transmission lines a cause of action to recover those damages from the energy company. The fact is that transmission lines that tower 270 feet into the air have an impact far beyond the footprint required for construction and maintenance and this must be acknowledged.

Madam Speaker, I invite our colleagues to join with me in support of this legislation.

REHABILITATED, NONVIOLENT OFFENDERS NEED A SECOND CHANCE

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 5, 2007

Mr. RANGEL. Madam Speaker, I rise today to bring to your attention the devastating impact of imprisonment on the lives of rehabilitated ex-offenders and to enter into the

RECORD an opinion editorial in the New York Times entitled, "Closing the Revolving Door."

Last week I introduced the Second Chance Act which would provide for the expungement of criminal records of certain non-violent offenders who have paid their debts to society. This "second chance" would only apply to individuals who have clearly demonstrated their commitment to turning themselves into industrious members of our communities.

It is preposterous that many states have often been forced to choose between building new prisons or new schools, because of the federal mandatory minimum sentencing laws. Worse still, the country has created a growing felon caste, now more than 16 million strong and growing, of felons and ex-felons, who are often driven back to prison by policies that make it impossible for them to find jobs, housing or education.

The U.S. Sentencing Commission and the Department of Justice have both concluded that mandatory sentencing fails to deter crime. Furthermore, mandatory minimums have worsened racial and gender disparities and have contributed greatly toward prison overcrowding. Mandatory minimum sentencing is costly and unjust. Mandatory sentencing does not eliminate sentencing disparities; instead it shifts decision-making authority from judges to prosecutors, who operate without accountability. Mandatory minimums fail to punish high-level dealers. Finally, mandatory sentences are responsible for sending record numbers of women and people of color to prison.

I urge your support for H.R. 623, the "Second Chance for Ex-Offenders Act of 2007," which would provide for the expungement of criminal records of certain non-violent offenders who have paid their debts to society.

[From the New York Times]

CLOSING THE REVOLVING DOOR

The United States is paying a heavy price for the mandatory sentencing fad that swept the country 30 years ago. After a tenfold increase in the nation's prison population—and a corrections price tag that exceeds \$60 billion a year—the states have often been forced to choose between building new prisons or new schools. Worse still, the country has created a growing felon caste, now more than 16 million strong, of felons and ex-felons, who are often driven back to prison by policies that make it impossible for them to find jobs, housing or education.

Congress could begin to address this problem by passing the Second Chance Act, which would offer support services for people who are leaving prison. But it would take more than one new law to undo 30 years of damage:

Researchers have shown that inmates who earn college degrees tend to find jobs and stay out of jail once released. Congress needs to revoke laws that bar inmates from receiving Pell grants and that bar some students with drug convictions from getting other support. Following Washington's lead, the states have destroyed prison education programs that had long since proved their worth.

People who leave prison without jobs or places to live are unlikely to stay out of jail. Congress should repeal the lifetime ban on providing temporary welfare benefits to people with felony drug convictions. The federal government should strengthen tax credit and bonding programs that encourage employers to hire people with criminal records. States need to stop barring ex-offenders from jobs because of unrelated crimes—or arrests in

the distant past that never led to convictions.

Congress should deny a request from the F.B.I. to begin including juvenile arrests that never led to convictions (and offenses like drunkenness or vagrancy) in the millions of rap sheets sent to employers. That would transform single indiscretions into lifetime stigmas.

Curbing recidivism will also require doing a lot more to provide help and medication for the one out of every six inmates who suffer mental illness.

The only real way to reduce the inmate population—and the felon class—is to ensure that imprisonment is a method of last resort. That means abandoning the mandatory sentencing laws that have filled prisons to bursting with nonviolent offenders who are doomed to remain trapped at the very margins of society.

PERSONAL EXPLANATION

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, February 5, 2007

Mr. McDERMOTT. Mr. Speaker, due to a death in my family I was unable to travel to Washington, DC, and missed votes in the House of Representatives on January 29, 30, and 31. Had I been here, I would have voted "aye" on:

1. H.R. 521, 2. H.R. 49, 3. H.R. 335, 4. H. Res. 70, 5. H. Res. 82, 6. H. Res. 24, 7. H. Con. Res. 20, 8. H. Res. 59, 9. H. Con. Res. 34, 10. H. Con. Res. 5, 11. H. Res. 90, 12. H. Res. 24, 13. H. Res. 116, and 14. H.J. Res. 20.

MARITIME POLLUTION PREVENTION ACT OF 2007

HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 5, 2007

Mr. OBERSTAR. Madam Speaker, I rise today, together with the Chairman of the Subcommittee on Coast Guard and Maritime Transportation, Mr. CUMMINGS, to introduce the "Maritime Pollution Prevention Act of 2007".

For many years, the International Maritime Organization, an entity of the United Nations, has been developing international standards to prevent pollution from ships that ply the world's oceans. The international convention they developed is called the International Convention for the Prevention of Pollution from Ships, 1973, The United States has implemented these environmental laws by enacting and amending the Act to Prevent Pollution from Ships (APPS).

On May 19, 2005, Annex VI of that Convention came into force internationally. Annex VI limits the discharge of nitrogen oxides from large marine diesel engines, governs the sulfur content of marine diesel fuel, prohibits the emission of ozone-depleting substances, regulates the emission of volatile organic compounds during the transfer of cargoes between tankers and terminals, sets standards for shipboard incinerators and fuel oil quality, and establishes requirements for platforms and drilling rigs at sea.